

1 Robert D. Phillips, Jr. (SBN 82639)
rphillips@reedsmith.com
2 Miles M. Cooley (SBN 206783)
mcooley@reedsmith.com
3 REED SMITH LLP
355 South Grand Avenue, Suite 2900
4 Los Angeles, CA 90071-1514
Telephone: 213.457.8000
5 Facsimile: 213.457.8080

6 Attorneys for Plaintiff
North American Company For Life and
7 Health Insurance

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 NORTH AMERICAN COMPANY FOR
LIFE AND HEALTH INSURANCE,

11 Plaintiff,

12 vs.

13 MICHAEL L. PHILPOT, an individual,
14 VIRGINIA B. HIRSH, an individual,
JOHN B. KUYKENDALL, an individual,
15 RENE ALEJANDRO LACAPE, an
individual, C. RICHIE MCNAMEE, an
16 individual and HECTOR PAEZ VALDEZ,
an individual, — Defendants.
17

No.: 08 CV 0270 BEN NLS

**PROOF OF SERVICE OF
SUMMONS ON HECTOR VALDEZ**

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

Attorney or Party without Attorney: MILES M. COOLEY, Bar #206783 REED SMITH LLP 355 S. GRAND AVE. SUITE 2900 LOS ANGELES, CA 90071 Telephone No: 213-457-8000 FAX No: 213-457-8080				For Court Use Only	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court Southern District Of California					
Plaintiff: NORTH AMERICAN COMPANY FOR LIFE AND HEALTH INSURANCE Defendant: MICHAEL L. PHILPOT, ET AL.					
PROOF OF SERVICE SUMMONS IN A CIVIL		Hearing Date:	Time:	Dept/Div:	Case Number: 08 CV 0270 BEN NLS

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL CASE COVER SHEET; PLAINTIFF NORTH AMERICAN COMPANY FOR LIFE AND HEALTH INSURANCE'S RICO CASE STATEMENT PURSUANT TO SOUTHERN DIST. LR 11.1; PLAINTIFF NORTH AMERICAN COMPANY FOR LIFE AND HEALTH INSURANCE'S NOTICE OF PARTIES WITH FINANCIAL INTEREST
3. a. Party served: HECTOR P. VALDEZ
 b. Person served: JANE "DOE", OCCUPANT (REFUSED TO GIVE HER NAME)
 HISPANIC, FEMALE, 5'5", 180 LBS, RED HAIR, 51 YEARS OLD
 SERVED UNDER F.R.C.P. RULE 4.
4. Address where the party was served: 30859 BOW BRIDGE DRIVE
 MURRIETA HOT SPRINGS, CA 92563
5. I served the party:
 b. by substituted service. On: Sun., Mar. 16, 2008 at: 11:07AM by leaving the copies with or in the presence of:
 JANE "DOE", OCCUPANT (REFUSED TO GIVE HER NAME)
 HISPANIC, FEMALE, 5'5", 180 LBS, RED HAIR, 51 YEARS OLD
 SERVED UNDER F.R.C.P. RULE 4.
 (3) (physical address unknown) Usual Place of Mailing Competent Member of the Household over 18. I informed him or her of the general nature of the papers.
 (4) A declaration of mailing is attached.
7. Person Who Served Papers:

a. DENEZIA JANUARY b. FIRST LEGAL INVESTIGATIONS 301 CIVIC CENTER DRIVE WEST SANTA ANA, CA 92702 c. (714) 550-1375	Recoverable Cost Per CCP 1033.5(a)(4)(B) d. The Fee for Service was: e. I am: (3) registered California process server (i) Owner (ii) Registration No.: 834 (iii) County: Riverside
--	--

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Tue, Mar. 18, 2008

Attorney or Party without Attorney: MILES M. COOLEY, Bar #206783 REED SMITH LLP 355 S. GRAND AVE. SUITE 2900 LOS ANGELES, CA 90071 Telephone No: 213-457-8000 FAX: No: 213-457-8080				For Court Use Only	
Insert name of Court, and Judicial District and Branch Court: United States District Court Southern District Of California				Ref. No or File No.:	
Plaintiff: NORTH AMERICAN COMPANY FOR LIFE AND HEALTH INSURANCE Defendant: MICHAEL L. PHILPOT, ET AL.					
AFFIDAVIT OF REASONABLE DILIGENCE		Hearing Date:	Time:	Dept/Div:	Case Number: 08 CV 0270 BEN NLS

1. I, DENECA JANUARY, and any employee or independent contractors retained by FIRST LEGAL INVESTIGATIONS are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant HECTOR P. VALDEZ as follows:

2. **Documents:** SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL CASE COVER SHEET; PLAINTIFF NORTH AMERICAN COMPANY FOR LIFE AND HEALTH INSURANCE'S RICO CASE STATEMENT PURSUANT TO SOUTHERN DIST. LR 11.1; PLAINTIFF NORTH AMERICAN COMPANY FOR LIFE AND HEALTH INSURANCE'S NOTICE OF PARTIES WITH FINANCIAL INTEREST.

Day	Date	Time	Location	Results
Wed	03/12/08	7:47pm	Usual	NO ANSWER AT DOOR. Attempt made by: DENECA JANUARY. Attempt at: 30859 BOW BRIDGE DRIVE MURRIETA HOT SPRINGS CA 92563.
Thu	03/13/08	6:20pm	Usual	NO ANSWER AT DOOR. Attempt made by: DENECA JANUARY. Attempt at: 30859 BOW BRIDGE DRIVE MURRIETA HOT SPRINGS CA 92563.
Sat	03/15/08	2:56pm	Usual	NO ANSWER AT DOOR. Attempt made by: DENECA JANUARY. Attempt at: 30859 BOW BRIDGE DRIVE MURRIETA HOT SPRINGS CA 92563.
Sun	03/16/08	11:07am	Usual Place of	Substituted Service on: HECTOR P. VALDEZ Usual Place of Mailing - 30859 BOW BRIDGE DRIVE MURRIETA HOT SPRINGS, CA. 92563 by Serving: JANE "DOE", OCCUPANT (REFUSED TO GIVE HER NAME) HISPANIC, FEMALE, 5'5", 180 LBS, RED HAIR, 51 YEARS OLD SERVED UNDER F.R.C.P. RULE 4. Competent Member of the Household over 18. Served by: DENECA JANUARY
Mon	03/17/08			Mailed copy of Documents to: HECTOR P. VALDEZ

3. **Person Executing**

a. DENECA JANUARY
 b. **FIRST LEGAL INVESTIGATIONS**
 301 CIVIC CENTER DRIVE WEST
 SANTA ANA, CA 92702
 c. (714) 550-1375

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d. **The Fee for service was:**

e. I am: (3) registered California process server
 (i) Employee
 (ii) Registration No.: 834
 (iii) County: Riverside

4. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

† Date: Tue, Mar. 18, 2008

AFFIDAVIT OF REASONABLE DILIGENCE

(DENECA JANUARY)

Attorney or Party without Attorney: MILES M. COOLEY, Bar #206783 REED SMITH LLP 355 S. GRAND AVE. SUITE 2900 LOS ANGELES, CA 90071 Telephone No: 213-457-8000 FAX No: 213-457-8080				For Court Use Only
Attorney for: Plaintiff				
Ref. No or File No.:				
Insert name of Court, and Judicial District and Branch Court: United States District Court Southern District Of California				
Plaintiff: NORTH AMERICAN COMPANY FOR LIFE AND HEALTH INSURANCE Defendant: MICHAEL L. PHILPOT, ET AL.				
PROOF OF SERVICE By Mail	Hearing Date:	Time:	Dept/Div:	Case Number:
				08 CV 0270 BEN NLS

- I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
- I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL CASE COVER SHEET; PLAINTIFF NORTH AMERICAN COMPANY FOR LIFE AND HEALTH INSURANCE'S RICO CASE STATEMENT PURSUANT TO SOUTHERN DIST. LR 11.1; PLAINTIFF NORTH AMERICAN COMPANY FOR LIFE AND HEALTH INSURANCE'S NOTICE OF PARTIES WITH FINANCIAL INTEREST
- By placing a true copy of each document in the United States mail, in a sealed envelope by **First Class** mail with postage prepaid as follows:
 - Date of Mailing: Mon., Mar. 17, 2008
 - Place of Mailing: SANTA ANA, CA 92702
 - Addressed as follows: HECTOR P. VALDEZ
30859 BOW BRIDGE DRIVE
MURRIETA HOT SPRINGS, CA 92563
- I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Mon., Mar. 17, 2008 in the ordinary course of business.
- Person Serving:
 - SOPHIA G. MURILLO
 - FIRST LEGAL INVESTIGATIONS
301 CIVIC CENTER DRIVE WEST
SANTA ANA, CA 92702
 - (714) 550-1375

Recoverable Cost Per CCP 1033.5(a)(4)(B)

- The Fee for Service was:
- I am: Not a Registered California Process Server

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Tue, Mar. 18, 2008

Sophia G. Murillo
(SOPHIA G. MURILLO)